IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

Crl.Rev.Pet.No. 463 of 2007(C)

CC.248/2003 of JUDL. MAGISTRATE OF FIRST CLASS COURT-I, PALAKKAD
CRA.408/2005 of II ADDL. SESSIONS COURT, PALAKKAD

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REVN. PETITIONER: APPELLANT/ACCUSED

K.VALSAN, KARIYADAN HOUSE, THALLODE,
KOTTAYAM MALABARO POST, KANNANORE (DISTRICT),
PROPRIETOR OF INDIAN ASSOCIATES,
GOKUL STREET, KOOTHUPARAMBA,
KANNANORE.

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENTS: RESPONDENTS/COMPLAINANT AND STATE

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1. M/S. HOUSE OF FOODS AND CHEMICALS (P) LTD., KANJIKODE, PALAKKAD, REP. BY THE DULY AUTHORISED PERSON, V.M.SANKARANARAYANAN, MANAGER, HOUSE OF FOODS AND CHEMICALS (P) LTD., KANJIKODE, PALAKKAD.

2. STATE OF KERALA, REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR
SRI.VINOD KUMAR.C

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 14/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.463 of 2007

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Dated: 14-09-2007

ORDER

The accused in C.C. 248 of 2003 on th**e file** of the Judl.Magistrate of the First Class-I, Palakkad for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 9621 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

ani.

V. RAMKUMAR, J.

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Crl.R.P. No.....

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Dated: 24th August 2007

ORDER

The accused in C.C. / ST. No.....on th**e file** of the J.F.C.M..... for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. .....of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

ani.